IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION.

INCOME TAX APPLICATION NO. 38 OF 2002.

The Commissioner of Income-tax,.... Appellant.
V/s.
Voltas Ltd. ... Respondents.

Mr. Ashok Kotangale for the petitioner.

Mr. Nishant Thakker i/b M/s Mulla & Mulla & CBC for the respondents.

CORAM : V.C.DAGA & J.P.DEVADHAR,JJ.

DATED : 13.6 .2006.

P.C. :

. This application raises two questions of law. So far as first question is concerned, learned Counsel appearing for the Revenue informs this Court that the said question is covered by the judgment of this Court in the case of Commissioner of Income Tax vs Hico Products Pvt.Ltd. (No.1) reported in 201 ITR 567 (Bom.) in favour of the assessee. Accordingly, first question is answered in terms of the said judgment.

. So far as second question is concerned, the Tribunal has followed its earlier decision in the case of the respondent- assessee itself. No material is placed on record to show that the aforesaid view of the Tribunal was challenged by the Revenue at any point of time. In this view of the

matter, we see no substantial question of law involved in this application. Application is, therefore, rejected.

(V.C.DAGA,J.)

(J.P.DEVADHAR,J.)